

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Brooke Nicole Bass,

Case Number: 13-CV-00860 (DSD/JJG)

Plaintiff,

v.

**SEPARATE ANSWER OF  
RAMSEY COUNTY**

Anoka County, et al.,

Defendants.

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Defendant Ramsey County, for its Separate Answer to the Complaint, states as follows:

**INTRODUCTION**

Plaintiff's introduction contains general statements which summarize the allegations found within Plaintiff's Complaint to which no response is required. To the extent further answer is required, Ramsey County denies or is without knowledge or information sufficient to form a belief as to the truth of the allegations, which has the effect of a denial.

**GENERAL BACKGROUND OF LAW AND FACTS**

1. Ramsey County denies generally each and every allegation, matter, and thing contained in the Complaint, which is not expressly admitted, qualified, or otherwise answered below.

2. Paragraph 1 of the Complaint is a general statement regarding the alleged amount in controversy for jurisdictional purposes, to which no response is required. Ramsey County specifically denies Plaintiff's claim of damages and demands strict proof thereof. Ramsey County specifically denies that it was responsible for any of the negligent, illegal, improper, or unconstitutional conduct alleged. Ramsey County is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations, which has the effect of a denial.

3. Ramsey County is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 2-5 of the Complaint, which has the effect of a denial.

4. Paragraph 6 of the Complaint is a general statement by Plaintiff to which a response is not warranted. To the extent an answer is needed, Ramsey County is without sufficient information or knowledge to form a belief as to the truth of the allegations, which has the effect of a denial.

5. Ramsey County admits that generally federal questions should be resolved in federal court. Plaintiff's allegations, however, do not rise to the level of a constitutional deprivation and, therefore, Ramsey County denies jurisdiction of this Court as alleged in paragraphs 7-8 of the Complaint.

6. Paragraph 9 of the Complaint is a general statement regarding the alleged amount in controversy for jurisdictional purposes, to which no response is required. Ramsey County specifically denies Plaintiff's claim of damages and demands strict proof thereof.

## **PARTIES**

7. Ramsey County is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 10 of the Complaint, which has the effect of a denial.

8. Paragraphs 11-29 of the Complaint are not related to this answering Defendant. To the extent further answer is required; Ramsey County denies or is without information to form a belief as to the truth of the allegations, which has the effect of a denial.

9. Ramsey County admits the allegations contained in paragraph 30 of the Complaint.

10. Paragraphs 31-36 of the Complaint are not related to this answering Defendant. To the extent further answer is required; Ramsey County denies or is without information to form a belief as to the truth of the allegations, which has the effect of a denial.

11. Ramsey County admits it is classified as a municipality as defined by Minn. Stat. § 466.01 as alleged in paragraph 37 of the Complaint. Ramsey County denies or is without information to form a belief as to the truth of the remaining allegations contained therein, which has the effect of a denial.

12. Paragraphs 38-109 of the Complaint are not related to this answering Defendant. To the extent further answer is required; Ramsey County denies or is without information to form a belief as to the truthfulness of the allegations, which has the effect of a denial.

13. Paragraph 110 of the Complaint is a general statement by Plaintiff regarding her classification of Defendants as "Defendant Entities" or "Entity Defendants" to which a response by these answering Defendants is not warranted. To the extent further answer is required; Ramsey County denies or is without information to form a belief as to the truthfulness of the allegations, which has the effect of a denial.

14. Ramsey County is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 111 of the Complaint, which has the effect of a denial.

15. Paragraphs 112-113 of the Complaint are general statements by Plaintiff regarding their classification of various Defendants to which a response by these answering Defendants is not warranted. To the extent further answer is required; Ramsey County denies or is without sufficient information to form a belief as to the truth of the allegations, which has the effect of a denial.

16. Paragraphs 114-118 of the Complaint are not related to this answering Defendant. To the extent further answer is required; Ramsey County denies or is without information to form a belief as to the truth of the allegations, which has the effect of a denial.

#### **FACTUAL ALLEGATIONS**

17. Ramsey County is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 119-126 which has the effect of a denial.

18. Paragraphs 127-128 of the Complaint are not related to this answering Defendant. To the extent further answer is required; Ramsey County denies or is without information to form a belief as to the truth of the allegations, which has the effect of a denial.

19. Ramsey County is without knowledge or information sufficient to form a belief as to the truth of the allegation in paragraph 129 which has the effect of a denial.

20. Paragraphs 130-198 of the Complaint are not related to this answering Defendant. To the extent further answer is required; Ramsey County denies or is without information to form a belief as to the truth of the allegations, which has the effect of a denial.

21. Ramsey County is without knowledge or information sufficient to form a belief as to the truth of the allegation in paragraph 199 which has the effect of a denial.

22. Paragraphs 200-226 of the Complaint are not related to this answering Defendant. To the extent further answer is required; Ramsey County denies or is without information to form a belief as to the truth of the allegations, which has the effect of a denial.

23. Ramsey County is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 227 which has the effect of a denial.

24. Paragraphs 228-236 of the Complaint are not related to this answering Defendant. To the extent further answer is required; Ramsey County denies or is without information to form a belief as to the truth of the allegations, which has the effect of a denial.

25. Paragraph 237 of the Complaint attempts to paraphrase a certain provision of Minnesota Statutory law. Ramsey County states that the statute speaks for itself.

26. Paragraph 238 of the Complaint attempts to paraphrase a certain provision of Minnesota Statutory law. Ramsey County states that the statute speaks for itself.

27. Ramsey County is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 239 which has the effect of a denial.

28. Paragraphs 240-257 of the Complaint are not related to this answering Defendant. To the extent further answer is required; Ramsey County denies or is without information to form a belief as to the truth of the allegations, which has the effect of a denial.

29. Ramsey County is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraphs 258-271, which has the effect of a denial.

30. Ramsey County denies it allowed, permitted, condoned, or acquiesced to the illegal access to Plaintiff's private data for unlawful purposes as alleged in paragraphs 272-273. Ramsey County is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained therein which has the effect of a denial.

31. Ramsey County is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 274, which has the effect of a denial.

32. To the extent the allegations in paragraph 275- 278 of the Complaint are directed toward Ramsey County, Ramsey County denies.

33. Ramsey County is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraphs 279-280, which has the effect of a denial.

34. As to paragraphs 281-283, Ramsey County is without sufficient information to admit or deny which has the effect of a denial.

35. Ramsey County is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraphs 284-289, which has the effect of a denial.

36. To the extent the allegations in paragraph 290 of the Complaint are directed toward Ramsey County, Ramsey County denies.

37. Paragraphs 291-301 of the Complaint are not related to this answering Defendant. To the extent further answer is required; Ramsey County denies or is without information to form a belief as to the truth of the allegations, which has the effect of a denial.

38. Ramsey County is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 302-304 of the Complaint, which has the effect of a denial.

## COUNT I

39. Paragraph 305 of the Complaint is a general statement regarding Plaintiff's earlier allegations, to which Ramsey County has already responded. To the extent further answer is required, Ramsey County denies.

40. Ramsey County is without sufficient information to admit or deny the allegations contained in paragraphs 306-308 of the Complaint which has the effect of a denial.

41. Paragraphs 309-310 of the Complaint states Plaintiff's legal conclusions to which no response is required. The statutory language speaks for itself. To the extent that any further response is required, Ramsey County denies.

42. As to paragraphs 311-319, Ramsey County is without knowledge or information sufficient to form a belief as to the truth of the allegations contained therein, which has the effect of a denial.

43. To the extent the allegations in paragraph 320 of the Complaint are directed toward Ramsey County, Ramsey County denies.

44. Paragraph 321 of the Complaint is not related to this answering Defendant. To the extent further answer is required; Ramsey County denies or is without information to form a belief as to the truth of the allegations, which has the effect of a denial.

45. As to paragraphs 322-323 of the Complaint, Ramsey County is without knowledge or information sufficient to form a belief as to the truth of the allegations contained therein, which has the effect of a denial.



46. Paragraphs 324 of the Complaint states Plaintiff's legal conclusions to which no response is required. The statutory language speaks for itself. To the extent that any further response is required, Ramsey County denies

47. To the extent the allegations in paragraphs 325-326 of the Complaint are directed toward Ramsey County, Ramsey County denies.

## **COUNT II**

48. Paragraph 327 of the Complaint is a general statement regarding Plaintiff's earlier allegations, to which Ramsey County has already responded. To the extent further answer is required, Ramsey County denies.

49. Paragraphs 328-329 of the Complaint state Plaintiff's legal conclusions to which no response is required. The relevant language speaks for itself. To the extent that any further response is required, Ramsey County denies.

50. As to paragraph 330, Ramsey County is without knowledge or information sufficient to form a belief as to the truth of the allegations contained therein, which has the effect of a denial.

51. Paragraph 331 states Plaintiff's legal conclusions to which no response is required. The relevant language speaks for itself. To the extent that any further response is required, Ramsey County denies.

52. Paragraph 332 states Plaintiff's legal conclusions to which no response is required. The relevant language speaks for itself. To the extent that any further response is required, Ramsey County denies.

53. To the extent the allegations in paragraph 333 of the Complaint are directed toward Ramsey County, Ramsey County denies.

54. To the extent the allegations in paragraph 334 of the Complaint are directed toward Ramsey County, Ramsey County denies.

55. Paragraph 335 states Plaintiff's legal conclusions to which no response is required. The relevant language speaks for itself. To the extent that any further response is required, Ramsey County denies.

56. To the extent the allegations in paragraphs 336-338 of the Complaint are directed toward Ramsey County, Ramsey County denies.

57. As to paragraph 339, Ramsey County is without knowledge or information sufficient to form a belief as to the truth of the allegations contained therein, which has the effect of a denial.

58. To the extent the allegations in paragraphs 340-341 of the Complaint are directed toward Ramsey County, Ramsey County denies.

### **COUNT III**

59. To the extent the allegations in paragraphs 342-364 of the Complaint are directed toward Ramsey County, Ramsey County denies.

### **COUNT IV**

60. Paragraphs 365-381 of the Complaint are not related to this answering Defendant. To the extent further answer is required; Ramsey County denies or is without

information to form a belief as to the truth of the allegations, which has the effect of a denial.

### **COUNT V**

61. To the extent the allegations in paragraphs 382-387 of the Complaint are directed toward Ramsey County, Ramsey County denies.

### **JURY DEMAND AND PRAYER FOR RELIEF**

62. Paragraph 388 does not contain factual or legal allegations and no response is needed.

63. Ramsey County denies that Plaintiff is entitled to the relief sought in her prayer for relief.

### **AFFIRMATIVE DEFENSES**

For its affirmative defenses, Defendant Ramsey County reasserts each preceding paragraph and states that:

1. The Complaint fails in whole or in part to state a claim for relief against Ramsey County.

2. The Court lacks subject-matter and/or personal jurisdiction.

3. Insufficient service of process.

4. Plaintiff's claims are barred by the immunities afforded to Ramsey County by law including, but not limited to qualified immunity, official immunity, statutory immunity and all other immunities provided for by federal and/or state law.

5. Ramsey County is shielded from suit, liability and damages as provided in Minn. Stat. Ch. 466.01, et al.

6. Some or all of Plaintiff's claims may be barred by the applicable statutes of limitations.

7. If Plaintiff has sustained damages as alleged in the Complaint, the same are the results of acts or omissions of Plaintiff or third persons over whom Ramsey County had no control and for whom Ramsey County had no responsibility.

8. Plaintiff's claims are barred in whole or in part by doctrines of estoppel, res judicata, waiver, consent, or unclean hands.

9. Plaintiff's claims are barred in whole or in part by intervening causes over which Ramsey County had no control or for which it has no responsibility.

10. To the extent Plaintiff suffered damages, she has failed to mitigate her damages.

11. Ramsey County acted in accord with applicable law at all relevant times.

12. Except as specifically provided by law, Plaintiff is not entitled to recover attorney's fees, costs, disbursements, or interest.

13. Plaintiff's claims are barred by any other matter constituting an avoidance or affirmative defense.

**WHEREFORE**, Ramsey County prays that Plaintiff take nothing by her pretended cause of action and that it have judgment in its favor, together with costs and reimbursements herein.

JOHN J. CHOI  
RAMSEY COUNTY ATTORNEY

Dated: May 14, 2013

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